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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CENTER FOR BIOLOGICAL DIVERSITY,  
GREAT BASIN RESOURCE WATCH, and  
WESTERN SHOSHONE DEFENSE  
PROJECT,

Plaintiffs,

vs.

DEBRA HAALAND in her official capacity  
as Secretary of the Interior, TRACY STONE-  
MANNING in her official capacity as the  
Director of the Bureau of Land Management,  
MARTHA WILLIAMS, in her official  
capacity as Director of the U.S. Fish and  
Wildlife Service, LAURA DANIEL-DAVIS,  
in her official capacity as Acting Deputy  
Secretary of the Interior, U.S DEPARTMENT  
OF THE INTERIOR, BUREAU OF LAND  
MANAGEMENT, and U.S. FISH AND  
WILDLIFE SERVICE,

Defendants.

Case No: 2:24-cv-02043-CDS-NJK

**JOINT MOTION FOR EXTENSION OF  
TIME TO FILE ANSWER  
(First Request)**

Plaintiffs, (Center for Biological Diversity, Great Basin Resource Watch, and the  
Western Shoshone Defense Project), and the Federal Defendants (U.S. Department of the  
Interior, et al.) respectfully submit this Joint Motion to Extend the Current Deadline for the  
Federal Defendants to file their Answer to Plaintiffs' Complaint (ECF #1).

1 Currently, Federal Defendants' Answer is due on December, 30, 2024. Under Fed. R.  
2 Civ. Pro. 15, Plaintiffs may file an Amended Complaint "as a Matter of Course" ... "if the  
3 pleading is one to which a responsive pleading is required, 21 days after service of a responsive  
4 pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier."  
5 Rule 15(a)(1)(B). Federal Defendants have yet to file a responsive pleading.

6 As Plaintiffs stated in the Complaint, Plaintiffs intend on filing an Amended Complaint to  
7 add, among other potential revisions, additional claims under the citizen suit provision of the  
8 Endangered Species Act (ESA). ECF #1 at 11. The ESA provides that "any person may  
9 commence a civil suit on his own behalf ... to enjoin any person, including the United States and  
10 any other governmental instrumentality or agency . . . who is alleged to be in violation of any  
11 provision of this Act or regulation issued under the authority thereof." 16 U.S.C. § 1540(g)(1).

12 Such claims may be filed "sixty days after written notice of the violation has been given  
13 to the Secretary, and to any alleged violator of any such provision or regulation." 16 U.S.C. §  
14 1540(g)(2)(A)(i). On October 24 and 25, 2024, Plaintiffs gave notice via electronic mail and U.S.  
15 Certified Mail of their intent to sue the Federal Defendants for violations of the ESA pursuant to  
16 16 U.S.C. § 1540(g)(1).

17 The expiration of the 60-day period occurs on December 23, 2024. The parties agree that  
18 it is not in the interests of judicial and party resources for Federal Defendants to prepare to file  
19 their Answer to the initial complaint knowing that an Amended Complaint will soon be filed.  
20 Plaintiffs anticipate filing their Amended Complaint on, or soon after, December 23, 2024.

21 Thus, in the interests of efficient case management and conservation of court and party  
22 resources, **Plaintiffs and Federal Defendants request that the current Answer deadline of**  
23 **December 30, 2024 be extended until 21 days after Plaintiffs file their Amended Complaint.**

24 This is the first request for an extension of time to the Answer deadline. LR IA 6-1(a). Although  
25 Fed. R. Civ. Pro. 15 requires such an Answer to an Amended Complaint to be filed within 14  
26 days, due to the holiday season and travel and other commitments by counsel for all parties, the  
27 additional 7 days will allow Federal Defendants to have adequate time to prepare their Answer.  
28

Counsel for Plaintiffs have contacted counsel for Intervenor-Applicant Ioneer Corp., which stated that they do not oppose this Joint Motion.

Dated November 18, 2024.

Respectfully submitted,

/s/ Scott Lake

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IT IS SO ORDERED.  
Dated: November 19, 2024

*Attorneys for Plaintiffs*

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Environment & Natural Resources Division  
U.S. Department of Justice

  
Nancy J. Koppe  
United States Magistrate Judge

/s/ Daniel Luecke (with permission)

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